

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
	:	
v.	:	Criminal Action No. 07-113-SLR
	:	
COREY ROANE,	:	
	:	
Defendant.	:	

**GOVERNMENT’S RESPONSE TO DEFENDANT’S MOTION FOR PRODUCTION OF  
IMPEACHMENT MATERIAL**

Defendant Corey Roane has filed a Motion for Production of Impeachment Material (D.I. 26), requesting that pursuant to its obligations under Brady v. Maryland, 373 U.S. 83 (1963), the United States produce materials to be used to impeach the testimony of law enforcement officers during the suppression hearing.<sup>1</sup> Although the United States disputes the factual allegations and legal conclusions contained in Defendant’s motion, including but not limited to the contention that the requested information is subject to disclosure under Brady, the United States has furnished the requested information. On January 18, 2008, Assistant United States Attorney Lesley F. Wolf sent defendant’s counsel, Christopher Koyste, a letter.<sup>2</sup> The United States believes this letter resolves the concerns raised by Defendant’s motion. The United States has complied, and will continue to comply, with its disclosure obligations under the Federal Rules of

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<sup>1</sup>At the December 19, 2007 hearing, defendant’s attorney made an oral request to recuse Assistant United States Attorney Lesley Wolf. In light of the motion filed by Defendant, it appears that request has been withdrawn, and replaced by his request for impeachment materials.

<sup>2</sup>The January 18, 2008 letter from Lesley F. Wolf to Christopher Koyste is attached as Exhibit 1.

Criminal Procedure and Brady.

WHEREFORE, the United States respectfully requests that Defendant's Motion for Production of Impeachment Material be denied as moot.

Respectfully submitted,

COLM F. CONNOLLY  
United States Attorney

BY: /s/Lesley F. Wolf  
Lesley F. Wolf  
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Dated: January 25, 2008

**U.S. Department of Justice**



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January 18, 2008

**BY FAX AND FIRST CLASS MAIL**

Christopher S. Koyste, Esquire  
709 Brandywine Boulevard  
Wilmington, DE 19809

**RE: United States v. Corey Roane, 07-113-SLR**

Dear Mr. Koyste:

Please be advised of the following:

On December 13, 2007, Wilmington Police Department Officers Mark Murdock and Michael Rennewanz attended a meeting at the U.S. Attorney's Office.

During that meeting, when asked to describe the circumstances surrounding Corey Roane's arrest, Officer Murdock stated, in relevant part, that Roane was patted down before being handcuffed. I inquired if he was certain about this sequence and he stated he was. Upon questioning from me, Officer Rennewanz stated that any inconsistency regarding the sequence of events between his report and Officer Murdock's description of events was the product of a mistake in the report and that he had no reason to doubt the veracity of Officer Murdock's recollection.

Very truly yours,

COLM F. CONNOLLY  
United States Attorney

BY:

  
Lesley F. Wolf  
Assistant United States Attorney